

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Civil Division

3Mayer Chaim Brikman (Rabbi)
Rivkah Brikman
JOSEPH WOLHENDLER,

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Twitter, Inc.
Yehoshua S. Hecht

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. CIV19-5143

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☒ No

THE DEFENDANT'S ANSWER TO THE COMPLAINT

I. The Parties Filing This Answer to the Complaint

Provide the information below for each defendant filing this answer or other response to the allegations in the plaintiff's complaint. Attach additional pages if needed.

Name Yehosuah S. Hecht

Street Address 40 King Street

City and County Norwalk

State and Zip Code Ct. 0815 06851

Telephone Number 2032476289

E-mail Address

II. The Answer and Defenses to the Complaint



A. Answering the Claims for Relief

On a separate page or pages, write a short and plain statement of the answer to the allegations in the complaint. Number the paragraphs. The answer should correspond to each paragraph in the complaint, with paragraph 1 of the answer corresponding to paragraph 1 of the complaint, etc. For each paragraph in the complaint, state whether: the defendant admits the allegations in that paragraph; denies the allegations; lacks sufficient knowledge to admit or deny the allegations; or admits certain allegations but denies, or lacks sufficient knowledge to admit or deny, the rest.

B. Presenting Defenses to the Claims for Relief

Write a short and plain statement identifying the defenses to the claims, using one or more of the following alternatives that apply.

1. The court does not have subject-matter jurisdiction over the claims because *(briefly explain why there is no federal-question jurisdiction or diversity-of-citizenship jurisdiction; see the complaint form for more information)*

2. The court does not have personal jurisdiction over the defendant because *(briefly explain)*

3. The venue where the court is located is improper for this case because *(briefly explain)*

4. The defendant was served but the process-the form of the summons-was insufficient because *(briefly explain)*

5. The manner of serving the defendant with the summons and complaint was insufficient because *(briefly explain)*

6. The complaint fails to state a claim upon which relief can be granted because *(briefly explain why the facts alleged, even if true, are not enough to show the plaintiff's right to recover)*

The action of the answering defendant were not defamatory. Contrary to the allegation of Plaintiff's it is not known to the answering defendant that the information obtained on the internet and reposted was false.

7. Another party (name) _____ needs to be joined (added) in the case. The reason is (briefly explain why joining another party is required)
-

- a. If the basis for subject-matter jurisdiction is diversity of citizenship, state the effect of adding the other party:
The other party is a citizen of the State of (name) _____.
Or is a citizen of (foreign nation) _____. The amount of damages sought from this other party is (specify the amount) _____.
- b. If the claim by this other party is based on an alleged violation of a federal constitutional or statutory right, state the basis:
-

C. Asserting Affirmative Defenses to the Claims for Relief

Identify an affirmative defense or avoidance that provides a basis for the defendant to avoid liability for one or more of the plaintiff's claims even if the basis for the claim is met. Any affirmative defense or avoidance must be identified in the answer. Include any of the following that apply, as well as any others that may apply.

The plaintiff's claim for (specify the claim)

Damages based on publication of false statements

is barred by (identify one or more of the following that apply):

1. Accord and satisfaction (briefly explain)
-

2. Arbitration and award (briefly explain)
-

3. Assumption of risk (briefly explain)
-

4. **Contributory or comparative negligence of the plaintiff** *(briefly explain)*

5. **Duress** *(briefly explain)*

6. **Estoppel** *(briefly explain)*

7. **Failure of consideration** *(briefly explain)*

8. **Fraud** *(briefly explain)*

9. **Illegality** *(briefly explain)*

10. **Injury by fellow employee** *(briefly explain)*

11. **Laches (Delay)** *(briefly explain)*

12. **License** *(briefly explain)*

13. **Payment** *(briefly explain)*

14. Release *(briefly explain)*

15. Res judicata *(briefly explain)*

16. Statute of frauds *(briefly explain)*

17. Statute of limitations *(briefly explain)*

18. Waiver *(briefly explain)*

19. Other *(briefly explain)*

Truth. Based on filings made by Plaintiff Rabbi Brikman and his Wife Rivkah Brikman with the office of the NYS Attorney General it appears that they violated the provisions of New York Law when they used names for an exiting not for profit corporation even though the names were not registered as required under New York Law.

D. Asserting Claims Against the Plaintiff (Counterclaim) or Against Another Defendant (Cross-Claim)

For either a counterclaim against the plaintiff or a cross-claim against another defendant, state briefly the facts showing why the defendant asserting the counterclaim or cross-claim is entitled to the damages or other relief sought. Do not make legal arguments. State how each opposing party was involved and what each did that caused the defendant harm or violated the defendant's rights, including the dates and places of that involvement or conduct. If more than one counterclaim or cross-claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. The defendant has the following claim against the plaintiff *(specify the claim and explain it; include a further statement of jurisdiction, if needed)*:

This case was filed for the sole purposes of harassing defendants.

2. The defendant has the following claim against one or more of the other defendants *(specify the claim and explain it; include a further statement of jurisdiction, if needed)*:

3. State briefly and precisely what damages or other relief the party asserting a counterclaim or cross-claim asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons that are alleged to entitle the party to actual or punitive money damages.
- a. The defendant asserting the counterclaim or cross-claim against *(specify who the claim is against)* all of Plaintiffs alleges that the following injury or damages resulted *(specify)*:
monetary damages by reason of Plaintiff's filing a frivolous lawsuit.
- b. The defendant seeks the following damages or other relief *(specify)*:
a minimum of \$100,000.00 and all fees and expenses incurred to defend this frivolous case.

III. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this answer: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the answer otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 09/27/2019

Signature of Defendant

Printed Name of Defendant


Yehosuah S. Hecht

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

1. Admit only that Mayer Brikman was hired as a Rabbi for Kneses Israel of Seagate. Deny that his wife has offered Rabbinical services. Acknowledge that he has provided activities in the Seagate community but deny that those activities were furnished by the Brikmans for Kneses Israel.
2. Deny knowledge and information sufficient to form a belief.
3. Deny knowledge and information sufficient to form a belief regarding who opened the account referenced and the mental status of the parties who opened the account.
4. Deny that there was any campaign as alleged in the paragraph of the complaint.
5. Deny that there was any campaign as alleged in the paragraph of the complaint.
6. Cannot Deny or admit the allegation as except acknowledge that there was a retweet of a post. The Court is referred to the document for its contents and meaning of the contents.
7. Cannot admit or deny what was purported to have been transmitted to Twitter Inc.
8. The checks that are referred to in the allegation were posted to the NYS Supreme Court web site.
9. Deny the conduct alleged to have been engaged in by Hecht and deny the characterization of the conduct in the allegation.
10. Deny.
11. Deny.
12. Admit that Wolhendler's complaint appears to make the allegations referenced in the paragraph. But denies the veracity and truth of the allegations and leaves all determinations of law to the Court.
13. Admit that Mayer Brikman complaint appears to make the allegations referenced in the paragraph. But denies the veracity and truth of the allegations and leaves all determinations of law to the Court.
14. Admit that Rivkah Brikman complaint appears to make the allegations referenced in the paragraph. But denies the veracity and truth of the allegations and leaves all determinations of law to the Court.

Wherefore it is respectfully prayed that this Court should deny the relief sought against the answering Defendant as alleged in the complaint in all respects.

Dated: Norwalk Ct. September 27, 2019

Signature of Defendant: 

Printed name of Defendant: Yehosuah S. Hecht

WE
RECEIVED
SEP 20 1985
FBI



United States District Court
Eastern District of New York
225 Cadman Place
E. Brooklyn NY



1120131632 0090